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Before the
Federal Communications Commission
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Policies and Rules Implementing
the Telephone Disclosure and
Dispute Resolution Act

CC Docket No. 93-22
RM-7990

COMMENTS OF THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY

The Southern New England Telephone Company (SNET), pursuant to the Federal Communications Commission (Commission's) Notice of Proposed Rule Making (NPRM) and Notice of Inquiry (NOI), (FCC 93-87), released March 10, 1993, hereby files comments in the above-referenced docket¹.

I. INTRODUCTION

On October 28, 1992, the Telephone Disclosure and Dispute Resolution Act (TDDRA) was signed into law. This law is designed to provide adequate protection and assurances to telephone consumers who obtain services from the pay-per-call industry. The pay-per-call industry provides education, entertainment and information services for the general public.

¹ Notice of Proposed Rule Making and Notice of Inquiry (NPRM/NOI), FCC 93-87, released March 10, 1993, CC Docket No. 93-22, RM-7990.

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The provision of appropriate safeguards would provide the opportunities for future development of the pay-per-call industry with associated benefits of consumers, common carriers and the information providers (IPs) that provide these services.

II. LECs ARE THE CUSTOMER'S FIRST POINT OF CONTACT

Many of the local exchange carriers (LECs) provide telephone numbers to the Interexchange Carriers (IXCs) or the IPs for the provision of pay-per-call services. In many cases, the LECs provide billing and collection of these pay-per-call services for the carriers. Therefore, LECs may be the first point of contact for customer inquiries about a particular service or business practice. Should these services not meet the customers' expectations, their complaints are handled by the local exchange carrier as well. In this proceeding, the Commission has sought to provide customer education and appropriate safeguards at the first point of contact (the LECs).²

Many LECs have readily responded to their customers' overwhelming need for education and protection. Through the use of informational bill inserts, blocking services and toll-free numbers for customer inquiries, SNFT and other

**III. THE COMMISSION SHOULD NOT INSTITUTE PROHIBITION AGAINST
DISRUPTION OF SERVICE FOR NON-PAYMENT OF CHARGES FOR
COLLECT CALLS THAT OFFER ACCESS TO AUDIOTEXT SERVICES.**

In this proceeding, the Commission is seeking comments on the proposal to extend the prohibition against any disruption of local or long distance telephone service for non-payment of charges to include any collect telephone calls that offer access to audiotext pay-per-call services or group discussions.³ SNET customer service centers have received an increasing number of customer inquiries and complaints about pay-per-call services billed as collect calls. The collect calls are billed to customers utilizing standard area codes and telephone numbers, not the typical 900 or 700 area codes which identify the call as a pay-per-call service. This does not allow the company to use its 900 blocking technology to prevent these calls. It is SNET's policy to remove the charges for these calls when identified and disputed by the subscriber and send them back to the respective carrier for review. Therefore, SNET does

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SNET objects to the proposed unqualified prohibition against disruption of service for failure to pay for such charges as its existing network cannot distinguish these collect calls from the normal customer-accepted collect calls. As these calls are not recognized by the network, it is not feasible to bill these charges separately from local and long distance calls as would be required for other pay-per-call services. Accordingly, there does not appear any way to prevent inadvertent disconnections or interruptions for non-payment of these charges unless identified by the customer.

IV. THE COMMISSION SHOULD NOT SEEK BLOCKING SERVICES FOR ALL PAY-PER-CALL SERVICES BUT LIMIT BLOCKING ONLY TO 900 SERVICES.

The Commission seeks comment on the technical and economic feasibility of accomplishing the detailed blocking contemplated by the TDDRA.⁴ To provide the options of per line pay-per-call blocking of all or only specified prefixes or area codes used by pay-per-call services, would require the availability of stored program controlled switches.

The provision of per line pay-per-call blocking in stored program controlled switches is provided through the

made available and, in turn, the more complex and extensive the screening tables must be made. For example, if the LECs are mandated to offer 900 blocking on a 900 NNX basis, this would require the establishment of a minimum of 999 line class codes as there must be one line class code for each potential NNX. The requirement would increase significantly depending on the number of combinations allowed; i.e., multiple NNX codes. A requirement for such large numbers of line class codes will create administrative and resource burdens for the LECs and potentially limit the ability to offer new services that would require line class codes.

Further, many of the switches in the LECs' networks will require additional capacity; namely, analog switches such as the 2BESS offices. Many of these would require the additional capacity prior to being upgraded to digital technology. In addition, the majority of the switching technologies, including some digital switches, have physical line class code limitations; i.e., 1AESS and DMS100 offices have a limitation of 1,024 line class codes. This limitation will impact the LEC's ability to offer new line class code-dependent services and/or require costly vendor modifications or switch replacements. For these reasons, blocking should be limited to the prescribed 900 exchange and only on an across-the-board basis.

V. 900 BLOCKING SERVICES SHOULD BE TARIFFED AT THE STATE LEVEL ONLY.

In this proceeding, the Commission has recognized that present technology does not distinguish between interstate and intrastate 900 calls.⁵ The State of Connecticut authorities (Department of Public Utility Control (DPUC), the Consumer Counsel and the Attorney General's office) have already taken a strong interest in 900 issues and the DPUC has authorized 900 call blocking since 1990. Therefore, to minimize administrative costs and customer confusion, SNET believes that the 900 Blocking Services should be tariffed at the state level only.

VI. PROTECTION AGAINST NON-PAYMENT OF LEGITIMATE CHARGES

TDDRA has directed the Commission to identify procedures whereby common carriers and information providers

to protect the legitimate users of these services and the providers of these services from chronic abusers.

SNET suggests that notification of the rights of carriers to impose the involuntary blocking can best be accomplished through a customer bill insert. Bill inserts are sent to each customer with their monthly telephone bill and would be the most cost efficient vehicle for such notification. SNET regularly uses bill inserts to notify customers of new services.

VII. CONCLUSION

Through passage of TDDRA and the drafting of this legislation, Congress and the Commission have sought to protect the unwary consumer from deceptive and unsolicited services, while at the same time preserving the pay-per-call services for education, entertainment and informational purposes. As stated herein, SNET urges that this worthwhile purpose be accomplished within the technical feasibility of the existing network facilities and at a reasonable cost to carriers.

Respectfully submitted,

THE SOUTHERN NEW ENGLAND TELEPHONE

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April 19, 1993

CERTIFICATE OF SERVICE

I, Melanie Raycroft, hereby certify that a copy of the foregoing SNET Comments on Telephone Disclosure and Dispute Resolution Act, CC Docket No. 93-22, was sent by first-class mail, postage prepaid, on this the 16th day of April, 1993, to the below-listed parties:



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